

1894-051 Chancery Causes: R. G. Livesay vs. William E. Livesay
Lee Co.

CA-Debt
T-Property

Virginia.

1 To the Hon H. S. K. Morrison Judge of the Circuit
2 Court of Lee County.

3 Humbly Complaining, your orator, R. G. Linsay,
4 would respectfully represent and shew unto your
5 honor, that on the 6th day of May 1893, he recovered
6 before W. A. Owens a Justice of the Peace of said
7 County, a judgment against Wm E Linsay for the
8 sum of \$11.08 with interest thereon from the 17th
9 day of January 1893, and \$1.00 Costs, a copy of which
10 is herewith filed, marked Exhibit "A", and on the
11 same day he obtained a judgment ^{before said Justice} against said
12 Wm E Linsay & Washington Linsay his security for
13 \$10.00 with interest thereon from the 30th day of
14 January 1892, and \$1.50 Costs. Subject to a credit of
15 \$2.50 April 21st 1893, a copy of which is herewith
16 filed, marked Exhibit "B", and prayed to be read as part
17 of this bill; that since the rendition of said judgments
18 the said Washington Linsay has departed this life,
19 insolvent, and was only security for the said Wm E
20 Linsay in said last mentioned judgment; that no
21 part of said judgments have ever been paid; that
22 said judgments were duly docketed on the 19th day
23 of June 1893, in the Clerk's office of the County Court of
24 said County, and there are no other judgments against
25 said Wm E Linsay. The said Wm E Linsay is seized
26 and possessed in his own right of the following
27 real estate, to wit: - A tract or parcel of land
28 lying in said County, on the west fork of Black
29 water, containing 54 ^{more or less} acres, and that descended
30 ^{and adjoining the lands of J. C. Pate, & others,} to him from his father, Wm Linsay, deceased, the rents
31 and profits of which will not in five years pay and dis-
32 charge the said judgments & costs of suit, In Consideration

1 whereof, he prays that the said Mr E Lindsay be made
2 the defendant to this bill, and required to answer the
3 same, but not on oath, that being waived; that all
4 proper orders and decrees be made, that the said land
5 or a sufficiency thereof to satisfy the said judgments
6 and costs of suit & sale, be sold and the proceeds thereof
7 be applied to the payment of the said judgments
8 and costs; and that all such other further and
9 general relief may be given as in the premises
10 is just and right. And your orator will ever pray &c.
11 James W Orr, p. q.

R. G. Lerasy

against

Wm E Lerasy

Plaintiff

Defendant

In Chancery.

This cause came on again to be heard upon the papers formerly read in the cause, and was argued by counsel, and it being admitted by plaintiffs counsel that the judgments in the bill mentioned ^{& costs} have been fully paid to the plaintiff by J. H. Glass the trustee of the defendant, and nothing further remaining to be done in the cause, the same is ordered to be stricken from the docket.

R. G. Lerassy.
vs { Decree Final
³
Wm. E. Lerassy

Copied in Chauncy
Order Book
Page 60

Enter this decree.

WLM

Nov 9 1894.

R. G. Linsay

against
Wm E Linsay

Plaintiff } In Chancery.

Defendant }

This cause came on to be heard upon the bill of the plaintiff and exhibits therewith, and it appearing that process has been ^{duly} ~~regularly~~ served on the defendant, and the cause ~~regularly~~ ^{regularly} matured at rules and set for hearing by the plaintiff, and the defendant failing to appear, ^{to} plead or answer the bill is taken for confessed against him. On consideration thereof it is adjudged, ordered and decreed that the plaintiff recover against the defendant \$23.08 the amount of the judgments in the bill mentioned with legal interest on \$10.00 part thereof from the 30th day of January 1892, and on \$11.08 another part thereof from the 17th day of January 1893 until paid, Subject to a credit of \$2.50 April 21st 1893, and that the plaintiff recover against the defendant the costs of this suit, and unless the same is paid within 20 days from the adjournment of this Court, then James W Orr, who is appointed a commissioner for the purpose, will proceed to sell at the front door of the Court house of this County, on some court day, ~~the interest of the defendant~~ in the land in the bill mentioned, belonging to the defendant, or so much thereof as may be necessary to satisfy the amount herein decreed to the plaintiff together with the costs of this suit and expense

of sale, having first advertised the time, terms and place of sale for at least thirty days, by written advertisements, at the front door of the ^{said} Court house, and in the vicinity of said land, ^{traverse} Said sale shall be made on a credit of ~~six~~ Months, except so much as is necessary to pay the costs of suit and expense of sale shall be required to be paid in hand, and for the deferred payment bond with good security payable to said Commissioner, with interest from date, shall be required. Said Commissioner before proceeding to sell shall execute bond before the Clerk of this Court in the penalty of \$100.00 Conditioned according to law, and he will report to Court. And the Cause is Continued.

R. G. Linsay

vs. Deere & Co.

Wm. E. Linsay

Entered Ch. O.B. p. 525-
Nov. 14th 1893.

Enter this decree

W. E. Linsay

Nov 14 1893.

VIRGINIA, Lee County, to-wit:

To The Sheriff or any, Constable of said County:

I command you to summon Wm E Livesey & Washington Livesey, if to be found in your county, to appear at my office in the said county, on the 1st day of April, 1893, before me, or such other Justice of the said County, as may then be there to try this warrant, to answer to the complaint of R. P. Livesey, upon a claim of money not exceeding one hundred dollars, exclusive of interest, to-wit: for the sum of \$ 1000, due by note and then and there make return of this warrant.

Given under my hand this 27 day of March, 1893,
W. A. Owens, J. P.

R. P. Livesey, Plff, }
vs Wm E & Washington Livesey Dft. } At my office in Lee county
Judgment is granted in favor of the plff. for the sum of \$ 10.00, with interest from the 30 day of Jan, 1892, till paid, and \$ 1.50 for costs.

Given under my hand this 6 day of May, 1893,
W. A. Owens, J. P.

VIRGINIA: Lee County, To-wit:

To H. P. Arrington D. B., Constable of said County:

I command you in the name of the Commonwealth of Virginia, that of the goods and chattles of Wm E & Washington Livesey, of your county, you cause to be made the sum of Ten Dollars and _____ cents, with interest thereon from the 30 day of Jan, 1892, till paid, which R. P. Livesey has recovered before me in a warrant in debt, and also the sum of One dollars and fifty cents which were adjudged to the said R. P. Livesey for costs in prosecuting said warrant. Given under my hand this the 6 day of May, 1893

W. A. Owens, J. P.

Pr + Int to June 17/94.

\$ 10.15 - Pr + Int,

1.50 - L.P.

55 - Clk.

\$ 12.20

Statement sent Lerasy.
Feb 13th 1894.

Lerasy's \$ 24.37

5 - Pr + Int 1.71

Add tax 23.18

1.50

Cr and pd by 24.68

5.00

19.68

R. P. Linsay
vs woman -

Wm E + Washington Linsay

H. P. Arrington

Continued by agreement -
till first Sat. in May 1893
at 9 o'clock, at the office of W. H. Linsay
in Linsay's family.

W. H. Linsay

"B"

Not Executed no
property found
this June 19th 1893

H. P. Arrington
Deputy for C. E.
Felony

Filed to docket
June 19th 1893
J. R. Gibson

The within judgment
and execution is Sub-
scribed of \$22.00
21st 1893

VIRGINIA, Lee County, to-wit:

To The Sheriff on any, Constable of said County:

I command you to summon Wm. C. Livesay, if to be found in your county, to appear at my office in the said county, on the 1st day of April, 1893, before me, or such other Justice of the said County, as may then be there to try this warrant, to answer to the complaint of R. P. Livesay, upon a claim of money not exceeding one hundred dollars, exclusive of interest, to-wit: for the sum of \$11.08, due by acc- and then and there make return of this warrant.

Given under my hand this 27 day of March, 1893

W. A. Owens, J. P.

R. P. Livesay, Pltff, }
vs. Wm. C. Livesay, Dft, } At my office in Lee county

Judgment is granted in favor of the plff. for the sum of \$11.08, with interest from the 17 day of Jan, 1893, till paid, and \$ 1.00 for costs.

Given under my hand this 6 day of May, 1893

Wm. A. Owens, J. P.

VIRGINIA: Lee County, To-wit:

To H. P. Arrington J.S., Constable of said County:

I command you in the name of the Commonwealth of Virginia, that of the goods and chattles of Wm. C. Livesay, of your county, you cause to be made the sum of Eleven Dollars and Eight cents, with interest thereon from the 17 day of Jan, 1893, till paid, which R. P. Livesay has recovered before me in a warrant in debt, and also the sum of one dollars and _____ cents which were adjudged to the said R. P. Livesay for _____ costs in prosecuting said warrant. Given under my hand this the 6 day of May, 1893

W. A. Owens, J. P.

R. J. Livesay
vs. woman
Wm. E. Livesay

H. P. Arington

Continued from prior entry
May 1893 at 9 o'clock
W. E. Arington

"A"

Not executed no
property found
this June 19 1893
H. P. Arington
for C. E. February

Filed & docketed
June 19 1893
J. R. Gibson

By virtue of June 17/94
\$11.08
.66
1.00 Costs of D.
.55. alk.
\$13.29

Know all Men by these Presents, That we James M. Orr and
S. V. F. Richmond
 are held and firmly bound unto the Commonwealth of Virginia, in the sum of one
hundred dollars, to payment whereof, well and truly to be made to
 the said Commonwealth of Virginia, we bind ourselves and each of us, our and each of our heirs,
 executors, and administrators, jointly and severally, firmly by these presents, hereby waiving the
 benefit of our homestead exemptions as to this obligation, and any claim, right, or privilege to
 discharge any liability arising under this bond, or by virtue of said office or trust, in any cur-
 rency, funds, counter claims or offsets other than legal-tender currency of the United States.
 Sealed with our seals, and dated this 21st day of November
 one thousand eight hundred and ninety three.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the above bound James
M. Orr
 shall faithfully perform the duties of his office or trust, as Commissioner
 under a decree of the Circuit Court of the County of Lee, pronounced on the 14th day
 of November, 1893, in the suit therein depending under the name and style
 of R. G. Livesay vs Wm. E. Livesay

then this obligation to be void, otherwise to remain in full force and virtue.

Signed, sealed and acknowledged in the
 presence of

James M. Orr [SEAL.]

S. V. F. Richmond [SEAL.]

[SEAL.]

In the Clerk's Office of the Circuit Court of the County of Lee.

This day S. V. F. Richmond

suret on the above bond, made oath before me A. B. MUNSEY, Clerk of the Circuit Court
 of the County of Lee, that his estate after the payment of all his just
 debts, and those for which he is bound as security for others, and expect to
 have to pay is worth the sum of Three hundred
\$ 500 dollars.

Given under my hand this 21st day of November 1893

A Copy Teste: J. A. G. Heyatt D Clerk

R. G. Livesay

vs

W. E. Livesay

to { COMMISSIONER
BOND.

Commonwealth.

James M. Orr Comr

Received of James M Orr atty for R. L.
Livesay \$5.48 my costs in full in the
Chancery Cause of said Livesay against
M. E. Livesay, this the 19th day of September
1894 A. B. Munsey Clerk

A.B. Munsey
Recd \$5.48

The Commonwealth of Virginia.

To The Sheriff of Lee County Greeting:

WE COMMAND YOU TO SUMMON

Wm E. Livesay

to appear at the Clerk's office of the Circuit Court of Lee County, at the Court House, on the first Monday in

September next, being rule day to answer a bill in Chancery, exhibited in our said Court against
..... *him* ... by *R. G. Livesay*

And have then and there this writ.

Witness, *A B Munsey* Clerk of said Court at the Courthouse.

This *21st* day of *August* 18*93*, in the 11 *8th* year of the Commonwealth.

A B Munsey Clerk.

A Copy Teste.....Clerk.

^(circ)
R. H. Livesay
vs. Spa in Chcy
W. E. Livesay

To 1st Sept Rules 1893

Executed by
Liliveringe the
within happy
to Wm E. Livesay
this August 21th 1893
H. P. Atterington
Depty for C. E.
T. L. C.